

Message Text

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64

ACTION L-03

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TO SECSTATE WASHDC 8248

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UNCLAS SANTIAGO 2061

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TAGS: CI PFOR SOCI UN

SUBJ: AIR FORCE TRIAL OPENS

REF: SANTIAGO 2024

1. SUMMARY. AIR FORCE TRIAL OF 64 OPENED APRIL 17, IS EXPECTED TO LAST BETWEEN ONE AND TWO MONTHS. END SUMMARY.

2. BEVY OF FOREIGN AND CHILEAN REPORTERS, 34 DEFENSE LAWYERS, AND SEVERAL OBSERVERS FROM US "FAIR TRIAL COMMITTEE FOR CHILEAN POLITICAL PRISONERS" ATTENDED OPENING SESSION BEFORE TRIBUNAL COMPOSED OF SEVEN FACH OFFICERS. SIXTY-THREE ACCUSED INCLUDING ERICK SCHNAKE AND CARLOS LAZO WERE PRESENT. ONE PRISONER NOT PRESENT (THE ONLY WOMAN ON TRIAL) WAS REPORTED ILL; BUT THERE WAS NO EXPLANATION GIVEN FOR THE ABSENCE OF THE REMAINING THREE. FIRST MOVE BY DFENSE WAS TO CHALLENGE TWO JUDGES, BUT OBJECTION OVER- RULED. TRIAL STORY GIVEN HEADLINE, FRONTPAGE COVERAGE IN ALL SANTIAGO NEWSPAPERS APRIL 18.

3. MILITARY TRIBUNAL (CONSEJO DE GUERRA) PRESIDENT, AIR FORCE GEN JUAN SOLER MANFREDINI, STRESSED IN OPENING REMARKS THAT PRISONERS HAD BENN GIVEN ALL PROCEDURAL SAFEGUARDS AVAILABLE UNDER MILITARY CODE, INCLUDING UNRESTRICTED ACCESS TO THEIR LAWYERS, UNCLASSIFIED

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(MORE THAN 60 DAYS AND MORE THAN ALLOWED IN ORDINARY COURT PROCEEDING

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MEDICAL CARE WHEN NEEDED, AND AMPLE TIME FOR LAWYERS TO PREPARE DEFENSE INCLUDING POSTPONEMENTS OF TRIAL EVEN THOUGH CODE PROVIDES FOR EXPEDITIOUS HANDLING OF SUCH CASES IN "WARTIME". HE NOTED THAT IN FIRST PHASE OF PROCEEDINGS, INVESTIGATION HAD COVERED SOME 600 ACCUSED NARROWED DOWN TO 64 NOW ON TRIAL.

4. FIRST DAY WAS LARGELY CONSUMED WITH READING OF INDICTMENT BY PROSECUTOR, GEN ORLANDO GUTIERREZ. TRIBUNAL SCHEDULED TRIALS OF FIRST THREE PRISONERS, ALL AIR FORCE PERSONNEL CHARGED WITH DERELICTION OF DUTY (PARA 7, SANTIAGO 1936), FOR APRIL 18 AND THREE MORE FOR APRIL 19. GEN SOLER ANNOUNCED, HOWEVER, THAT TRIBUNAL WILL ISSUE VERDICT FOR GROUP AS A WHOLE ONLY AFTER ALL INDIVIDUAL TRIALS HAVE BEEN CONCLUDED.

5. COMMENT. EVEN AT RATE OF THREE PERSONS A DAY, WHICH NOT LIKELY BE MAINTAINED, TRIAL EXPECTED TO LAST A MONTH OR MORE, THEREBY FOCUSING DOMESTIC AND INTERNATIONAL ATTENTION EVEN MORE ON QUESTION OF HUMAN RIGHTS IN CHILE AND ON CHARGE THAT TRIAL IS A POLITICAL SHOW

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EMBASSY WILL REPORT PROGRESS OF TRIAL AS DEVELOPMENTS WARRANT. MEANWHILE, GOVT SEC GEN EWING TOLD PRESS THAT TRIAL OF DAWSON ISLAND UP LEADERS WILL BEGIN BEFORE END OF APRIL.
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